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April 14, 2022

***Via Electronic Mail Only***

Assistant U.S. Attorneys Brandy McMillion, Brandon Helms, and Gjon Juncaj

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Re: *United States v. Dr. David Lewis*, Case No. 2:18-cr-20800  
CLG Case No. 03.02.22.CLG.0329

**NOTICE OF EXPERT TESTIMONY**

Pursuant to Federal Rule of Criminal Procedure 16(b)(1)(C), this notice provides the Government with a summary of the expected expert testimony that the Defendant intends to offer at trial. In addition to identifying Defendant's expert, below, is a written description of the proposed expert testimony, the expert's opinion, and a description of the expert's qualifications. If additional experts are retained, Defendant will provide notice as required.

**Mr. Ryan Vaughn, BBA, MBA**

Mr. Vaughn has extensive experience with statistical modeling. In particular, Mr. Vaughn's breadth of experience is focused on organizing and manipulating large data sets in Microsoft Excel (Excel) to generate statistical models, including visualizing data through intricate graphs. He completed a Bachelor of Business Administration followed by a Master of Business Administration (MBA), which heavily focused on business and statistical modeling.

Defendant anticipates that Mr. Vaughn will testify regarding the statistical methodology and resulting graphs that will be presented to the jury. Mr. Vaughn will testify that these graphs were based on Dr. Lewis' Medicare claims data and Michigan Automated Prescription System (MAPS) data provided by the Government. He will testify regarding the methodology that was used to construct these graphs and the ways in which the underlying data was manipulated and analyzed. Mr. Johnson will also testify what each graph depicts and the resulting conclusions that can be drawn, and how the data was reorganized and categorized from how it was initially received by the Government. He will testify that the graphs were constructed based on generally accepted methodologies within the field of statistics, as well as testify to the accuracy and validity of the graphs presented. These graphs include pie graphs that breakdown the medications Dr. Lewis prescribed to

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patients in different age brackets, another pie graph breaking down the number of visits of Dr. Lewis' Medicare patients that received facet injections, bar and scatter plot graphs that depict how Dr. Lewis prescribed facet injections over a period of three (3) months, bar graphs that depict the amounts billed to and paid from Medicare to indicted providers, as well as a bar graph depicting the average number of Medicare patients seen per day among indicted providers, bar and line graphs comparing the number of Medicare patients that Dr. Lewis and Dr. Russo saw, a pie graph breaking down how many of Dr. Lewis' Medicare patients that received facet injections were also prescribed medications (i.e., included in MAPS data), and pie graphs breaking down the procedures that Dr. Lewis billed to Medicare, including facet injections, epidural injections, and other nerve block codes.

Mr. Vaughn is more than qualified to offer this expert testimony. Beyond Mr. Vaughn's education, which was tailored toward statistical modeling, he has professional experience in this field spanning across four years. He began his career working for databoards, where he was a data modeling expert and built fully integrated dashboards that succinctly and accurately summarized voluminous data sets so that business could understand and utilize this data. Mr. Vaughn then was a founding partner of KPI Excel, where he analyzed large sets via spreadsheet modeling in Excel to produce graphs to visualize the data. These visualizations helped large and successful companies, with \$3mm to \$150mm in revenue, identify trends in data and better improve their processes.

Currently, Mr. Vaughn is a co-founder of Excel With Wayne, an online Excel training company. He and his colleague, who has forty (40) years of experience with data analysis and business modeling using Excel, teach entities and individuals how to effectively use Excel to analyze and visualize large sets of data. Mr. Vaughn and his colleague even teach Microsoft employees how to use Excel. Attached is Mr. Vaughn's CV for additional background and review.

Should you have any questions, do not hesitate to contact our office at your convenience. Remaining,

**Chapman Law Group**



**Ronald W. Chapman II, Esq., LL.M.**

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Attachment

# Ryan Vaughn

 ryan@excelwithwayne.com

 [linkedin.com/in/rvaughn3](https://www.linkedin.com/in/rvaughn3)

 <https://excelwithwayne.com>

## Summary

**WHAT I DO:** We take all of your data and your team's data to build robust data models giving you and your team better insights to make faster decisions.

If you could just open a spreadsheet giving you all of the insights that you want, updated in real time, how would that change your operational efficiency?

**WHO I WORK WITH:** I partner with mid-sized companies such as:

- Service Companies
- Insurance Companies
- Manufacturing Companies
- Agricultural Companies
- Real Estate Companies
- Health Care Companies

**WHY IT WORKS:** The custom insights that I provide to my clients helps them save time, and always have the pulse of their business.

**WHAT MAKES ME DIFFERENT:** I was an understudy in business school to the world's best data analyst (Dr. Wayne Winston), the person that wrote the book on Data Analysis and Business Modeling for Microsoft, the coursework for Harvard Business School, and the consultant to the largest companies in the world. After business school we became co-founders, putting his life's work online at excelwithwayne.com.

Also, by having experience across multiple industries, I can bring insights and a fresh way to analyze your business intelligence.

**HOW IT WORKS:** We start with a phone call or on-site consultation, making sure that enough value can be added to your company. Then a sample output will be provided, showing the different insights that we can provide. After this we take the next steps forward to forming a working relationship.

## Experience

### Co-Founder

#### Excel With Wayne

Apr 2015 - Present (6 years 10 months +)

Co-Founder of an online Excel Training Company with Dr. Wayne Winston. Dr. Winston has 40 years of data analysis and business modeling experience and is the only expert that Microsoft entrusts to author the intermediate to advanced Excel books in data analysis and business modeling. He is also the author for all of the Harvard Business School spreadsheet modeling courses which are used by the top MBA programs around the world.

His clients include Microsoft, the US Navy, the US Army, 3M, Ford, GM, and numerous other Fortune 500 companies.

His online course consists of 190+ videos containing nearly 20 hours of content covering virtually all spreadsheet functions and formulas.

Bottom line: Dr. Winston is the guy that teaches Microsoft employees how to use Microsoft Excel.



## **Founder**

### **KPI Excel**

Jan 2015 - Present (7 years 1 month +)

Consulting company assisting SMB with data analysis, process automation, data visualization, forecasting, and all things related to spreadsheet modeling. Current clients range from \$3mm-\$150mm in revenue.

[www.kpiexcel.com](http://www.kpiexcel.com)



## **Data Modeling**

### **databoards**

Apr 2018 - Present (3 years 10 months +)

You have raw data coming in from all your different systems. I connect all the different feeds via API and then analyze the raw data into your most important metrics.

Then I build a dashboard that has your most valuable metrics and update it every minute.

The dashboards can be accessed anytime, anywhere. All you need is an internet connection.

## **Education**



### **Texas State University**

Bachelor of Business Administration - BBA, Finance, General

2003 - 2008



### **University of Houston, C.T. Bauer College of Business**

Master of Business Administration (MBA), Entrepreneurship/Entrepreneurial Studies, Business Modeling

2013 - 2015

Dean's List for Academic Excellence

## **Skills**

Microsoft Excel • Spreadsheets • Business Modeling • Data Analysis • Entrepreneurship • Financial Analysis • Finance • Business Intelligence • Lean Startup • Early-stage Startups